



PATENT
Docket No.: 36314-00500

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : GELFAND, Matthew
Serial No. : 10/726,839 Group Art Unit : 3671
Filed : December 2, 2003 Examiner : A. Pechhold
For : Energy Absorbing System with Support

INFORMATION DISCLOSURE STATEMENT

MAIL STOP AMENDMENTS
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. ☒ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:

EP 0808948
JP 20000248514

2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.

3. ☐ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior ☐ Continuation, ☐ Divisional or ☐ Continuation-In-Part application under 37 C.F.R. §1.60, U.S. Serial No. _____, filed _____.

08/30/2005 CNGUYEN2 00000010 133250 10726839
01 FC:1806 180.00 DA

4. ☐ No fee is due under 37 C.F.R. §1.17 for this Information Disclosure Statement since it is being filed in compliance with:

☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.

☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application.

☐ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits.

5. ☐ No fee is due under 37 C.F.R. §1.17 for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.

6. ☒ A fee is due under 37 C.F.R. §1.17 for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):

☐ A check in the amount of \$180.00 is enclosed in payment of the fee.

☒ Charge the fee to Deposit Account No. 13-3250. Order No. 36314-00500. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

7. ☐ A fee is due under 37 C.F.R. §1.17 for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:

a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and

b. the attached petition requesting consideration of this Information Disclosure Statement; and

c. the fee due under 37 C.F.R. §1.17 which is paid as set forth in paragraph 10 below.

8. ☐ A fee is due under 37 C.F.R. §1.17 for this Information Disclosure Statement since it is being filed in compliance with:

a. ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw

Application From Issue;

b. ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue.

c. The fee due under 37 C.F.R. §1.17 is paid as set forth in paragraph 10 below.

9. ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

10. ☐ A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17.

☒ Charge the fee due under 37 C.F.R. §1.17 to Deposit Account No. 13-3250. Order No. 36314-00500. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

☒ The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-3250. Order No. 36314-00500. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MILBANK, TWEED, HADLEY & McCLOY LLP

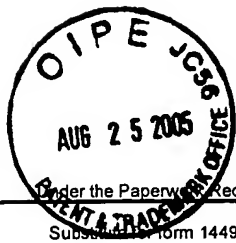


Frank A. Bruno
Reg. No.: 46,583

August 25, 2005

Milbank, Tweed, Hadley & McCloy LLP
1 Chase Manhattan Plaza
New York, NY 10005-1413

(212) 530-5000 / (212) 530-5219 (facsimile)



PTO/SB/08A (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute Form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 3

Complete if Known

Application Number	10/726,839
Filing Date	December 2, 2003
First Named Inventor	GELFAND, Matthew
Art Unit	3671
Examiner Name	A. Pechhold
Attorney Docket Number	36314-00500

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 1,344,776	06/29/20	Strieter, F.A.	
		US- 1,437,404	12/05/22	Donovan, W.J.	
		US- 1,661,051	02/28/28	Siano, F.L.	
		US- 1,818,824	08/11/31	Strauss, J.B.	
		US- 1,929,859	10/10/33	Strauss, J.B.	
		US- 2,043,525	06/09/36	Benedict, E.L.	
		US- 2,189,974	02/13/40	Buford, W.J.	
		US- 2,219,127	10/22/40	Buford, W.J.	
		US- 2,237,106	04/01/41	Minert, T.R.	
		US- 2,251,699	08/05/41	Banschbach, E.A.	
		US- 2,336,483	12/14/43	Hoover, B.E.	
		US- 3,638,913	02/01/72	Persicke, Gunter	
		US- 3,674,115	07/04/72	Young, Bruce O., et al.	
		US- 3,866,367	02/18/75	Strizki, Richard A	
		US- 3,938,763	02/17/76	DiGiovanniantonio, Perry	
		US- 4,490,068	12/25/84	Dickinson, Harry D	
		US- 4,509,577	04/04/85	Priefert, Marvin J.	
		US- 4,699,197	10/13/87	Hamrick, Jerry	
		US- 4,742,898	05/10/88	Lee, Patrick P.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 89/10302	11/02/89	Carr, David, et al.		
		WO 97/15729	05/01/97	Jackson, Martin, et al.		
		JP2000248514	09/12/00	Kanamori		
		EP0808948	11/26/97	Kaiser		

Examiner
SignatureDate
Considered

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Sheet 2 of 3**Complete if Known**

Application Number	10/726,839
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Art Unit	3671
Examiner Name	A. Pechhold
Attorney Docket Number	36314-00500

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		Number-Kind Code ² (if known)			
		US- 4,780,020	10/25/88	Terio, Charles J.	
		US- 4,809,933	03/07/89	Buzby, Paul, et al.	
		US- 4,824,282	04/25/89	Waldecker, Donald E.	
		US- 5,118,056	06/02/92	Jeanise, Dorothy J.	
		US- 5,332,071	07/26/94	Duncan, Charles	
		US- 5,762,443	06/09/98	Gelfand, M., et al.	
		US- 5,947,452	09/07/99	Albritton, James R.	
		US- 6,131,873	10/17/00	Blazon, Fred R.	
		US- H1133	02/02/93	Bridges, William, et al.	
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FOREIGN PATENT DOCUMENTS

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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

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STATEMENT BY APPLICANT**

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Complete if Known

Application Number 10/726,839

Filing Date Dec. 2, 2003

First Named Inventor GELFAND, Matthew

Art Unit 3671

Examiner Name A. Pechhold

Attorney Docket Number 36314-00500

Sheet 3

of 3

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		GD-OTS-HOMELAND DEFENSE SYSTEMS, "Portable Vehicle Arresting Barrier (PVAB)", August 29, 2003, http://www.gd-ots.com/site_pages/nonleth/pvab.html	
		MARKLAND TECHNOLOGIES, "Vehicle Stopping System (VSS)", August 29, 2003, http://www.marklandtech.com/vss.html ; pp. 1-2.	

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